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E-filing **FILED**

DEC 4 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

INTERMUNE, INC.,

Defendant.

**~~PROPOSED~~ ORDER APPROVING
DEFERRED PROSECUTION
AGREEMENT AND DEFERRING
FURTHER PROCEEDINGS**

No. CR 06-0707 MHP


The parties appeared before the Honorable Marilyn Hall Patel on December 4, 2006, at which time the government sought approval of the Deferred Prosecution Agreement entered into between the United States of America and Intermune, Inc. With the agreement of counsel for both parties, the Court found and held as follows.

The Deferred Prosecution Agreement is approved.

1 The prosecution of this matter has been deferred by the attorney for the Government
2 pursuant to written agreement with the defendant, with the approval of the court, for the purpose
3 of allowing the defendant to demonstrate his good conduct. Therefore, pursuant to Title 18,
4 United States Code, Section 3161(h)(2), a two-year period, from December 4, 2006 through to
5 and including December 4, 2008 shall be excluded under the Speedy Trial Act.
6

7
8 IT IS SO ORDERED.

9
10 Dated: December 4, 2006



MARILYN HALL PATEL
U.S. DISTRICT COURT JUDGE